



IRISH INTERNATIONAL  
IMMIGRANT CENTER

## Irish International Immigrant Center Immigration Legal Services Frequently Asked Questions (FAQ)

### U.S. CITIZENSHIP

#### **1) Why should I apply to become a U.S. Citizen?**

Becoming a U.S. Citizen has many benefits. Some of these include:

- the right to vote;
- the right to serve on a jury;
- the ability to travel abroad with fewer restrictions;
- no longer have to renew your green card every 10 years;
- the ability to petition for more family members, and shorter waiting lists for this; in some circumstances, the ability for your minor children to automatically become citizens when you naturalize;
- U.S. Citizenship is permanent – it protects you from being deported if you later have trouble with the law.

#### **2) I think I want to become a U.S. Citizen, but I don't want to give up citizenship with my home country. What are the rules about this?**

The U.S. allows dual citizenship! Check to see if your home country also allows dual citizenship; many countries do, including Ireland and the U.K. If your home country allows it, then becoming a U.S. citizen would not impact your other citizenship.

#### **3) I'd like to become a U.S. Citizen, but I can't afford the filing fee (currently \$725). What can I do?**

A fee waiver is available when applying for citizenship, if you can show that you are receiving government benefits (such as cash assistance, food stamps, subsidized housing, or MassHealth), or that your income is very low, or that there is some other extremely difficult circumstance that prevents you from paying the fee. There is also a reduced fee available based on income.

You should also remember that you are required to renew your green card every 10 years. The filing fee for the renewal (currently \$540) is not much less than applying for citizenship, yet citizenship is permanent and has many benefits (see Question 1).

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### PERMANENT RESIDENCE

#### **4) My green card is getting ready to expire. What should I do?**

Folks who have been granted the 10-year permanent green card must renew it every 10 years. (Check your card now and see when you need to renew it). The immigration laws require all permanent residents to carry a valid green card with them at all times.

You can renew your card up to 6 months before it expires. The renewal process is relatively simple, and the form can be filed electronically. We recommend that you consult with an immigration attorney before filing.

This may also be an excellent time to consider if applying for U.S. citizenship is right for you. If you have a citizenship application pending, you're not required to renew your green card.

Please note that if you have a 2-year conditional green card, there is a different process to extend it and you should consult with an immigration attorney before proceeding.

### **5) Why do I need to renew my green card?**

It is very important to keep your green card current! As a permanent resident, you are required to carry a valid green card with you at all times. We routinely encounter clients who have let their green card expire, and then suddenly have an emergency and need to travel abroad. An expired green card will delay your travel plans.

It is also important to be carrying a valid, unexpired green card in case you happen to come in contact with Immigration and Customs Enforcement. However, we generally advise eligible people to apply for citizenship rather than to renew your green card.

### **6) I just moved and I heard that I'm supposed to notify Immigration. How do I do that?**

Most non-U.S. Citizens, especially permanent residents and all others who have applications pending with Immigration, must notify U.S. Citizenship & Immigration Services of changes in their address within 10 days.

This can be easily accomplished electronically by going to the following website: <http://www.uscis.gov/AR-11>. Follow the instructions for "Online Change of Address."

Also, please note that the Post Office generally does not forward official mail from Immigration – rather, that mail will get returned to Immigration. So it is very important that you keep your address current with Immigration!

For those who have a case in Immigration Court, you must also notify the Court and the Office of the Chief Counsel about any address changes by filling out form EOIR-33 and sending a copy to both offices.

### **7) I'm a new permanent resident and someone told me that I have to register with the Selective Service. What does this mean?**

If you are a male between the ages of 18 and 26, you are required to register with the U.S. Selective Service. The Selective Service is also known as the "draft," and it is the system that the U.S. uses in times of war to call up soldiers. It has not been used since the 1970's.

For more information, including electronic registration, please use this website: <https://www.sss.gov/>

When you apply for U.S. Citizenship, you will be asked if you registered, and not registering can delay your ability to get U.S. citizenship.

Certain people are not required to register for the Selective Service. These include folks on "nonimmigrant" visas, such as tourist or student visas or other temporary visas.

**8) I was just arrested for a crime. I am not a U.S. Citizen. What should I do now?**

Many crimes make immigrants deportable, regardless of their immigration status. They can also make immigrants ineligible for immigration benefits, such as permanent residence, Temporary Protected Status, Deferred Action, and non-immigrant visas, such as tourist, work or student visas.

Please contact an experienced immigration attorney immediately, and tell your defense attorney about your immigration status so that she can also inquire into the impact that your criminal record may have on your immigration status. You should not plead or admit to an offense until you have been counseled on this impact.

Remember that being a permanent resident does not make you immune from deportation, and in fact, many permanent residents are deported every year due to criminal activity.

**9) Ten years ago, I was convicted of a misdemeanor. No one thought it was a big deal, but now I want to travel abroad, and I'm worried. Will it affect me?**

Anyone with any sort of criminal history (even misdemeanors, incidents that happened a long time ago, or incidents that you believe were dismissed) should always consult with an experienced immigration attorney prior to any travel abroad.

It is very common for long-time permanent residents and other immigrants to be arrested at the border after a short trip abroad for crimes that happened years ago. Even folks who have traveled before without a problem can still get arrested by Immigration during future travel.

**10) My mother is very sick and I need to go back to my home country to care for her. I might be gone for a while. Is there anything I should be doing to protect my permanent residence?**

The rules of thumb for permanent residence are that (a) you should be spending more time in the U.S. than outside the U.S., and (b) you should not make any trips outside of the U.S. that last for more than 180 days (a little less than 6 months).

If you are not able to follow one or both of these rules, then we recommend that you apply for a reentry permit, which can protect your permanent residence from abandonment. You must apply for the reentry permit and attend a scheduled fingerprinting appointment before you leave the U.S.

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## CASE INQUIRIES

**11) I filed an application 6 months ago. I have the receipt notice, but I have not heard anything else from Immigration, and now I'm worried that something is wrong. How can I find out what is happening with my application?**

U.S. Citizenship and Immigration Services now has an on-line case tracking service that states the latest action that has happened on your case.

You will need to find the receipt number for your application, which is usually located at the top left corner of your receipt notice. Then, type in the receipt number at this website: <https://egov.uscis.gov/casestatus/landing.do>. You can also sign up for updates by e-mail or text message at this website.

If nothing is happening in your case, you can check on the normal wait times for your case at this website: <https://egov.uscis.gov/cris/processTimesDisplayInit.do>. You will need to know the application number and the office that is processing the case, both of which will be listed on your receipt notice.

If your application has been pending longer than the normal times listed on the website, you can do an e-inquiry to USCIS at this website: <https://egov.uscis.gov/e-request/Intro.do>.

You can also always call the USCIS National Customer Service Center at (800) 375-5283.

### **12) I would like to speak in person to an Immigration officer about my case. How do I do that?**

You can schedule an appointment to speak with your local CIS office through their Infopass system (<https://infopass.uscis.gov/>). For example, in New England, there are offices located in Boston and Lawrence, Massachusetts; Manchester, New Hampshire; Providence, Rhode Island; Portland, Maine; Hartford, Connecticut; and St. Albans, Vermont.

However, please keep in mind that all Immigration agencies have an enforcement component to them, and for that reason, we recommend that you speak with an immigration attorney before having an in-person meeting with Immigration.

### **13) Where can I find immigration forms?**

All USCIS immigration forms and instructions are available for free on their website, <https://www.uscis.gov/forms>.

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## **BRINGING FAMILY TO THE U.S.**

### **14) I'm a U.S. Citizen. Which family members can I petition for?**

U.S. Citizens can petition for their parents, spouse, and unmarried children under the age of 21, and there is no waiting list associated with those petitions. In some circumstances, if those family members are in the U.S. after entering with a visa, they can apply for permanent residence in the U.S. without having to process through the U.S. Consulate in their home country. You should not enter the U.S. on ESTA or as a visitor or on another temporary basis if you intend to seek permanent residence. Doing so could make you permanently ineligible.

U.S. Citizens can also petition for adult children, both married and unmarried, as well as siblings. However, there are long waiting lists for these family members and, except in rare circumstances, these family members have to process through the U.S. Consulate in their home country.

If your family member is already here in the U.S., you should never send them abroad for a consular interview without first speaking with an experienced immigration attorney. If your family is not in the U.S., they should not enter the U.S. on ESTA or any temporary basis in order to apply for permanent residence.

If you have questions about your particular circumstances, please consult with an attorney before filing anything with the U.S. Government.

**15) I'm a permanent resident. Which family members can I petition for?**

Permanent residents can petition for their spouse and unmarried children. There are waiting lists for these family members, particularly for unmarried adult children and, except in rare circumstances, these family members have to process through the U.S. Consulate in their home country.

If your family member is already here in the U.S., you should never send them abroad for a consular interview without first speaking with an experienced immigration attorney. If your family is not in the U.S., they should not enter the U.S. on ESTA or any temporary basis in order to apply for permanent residence.

**16) I would love for my sister to come visit me and my family in the U.S. How can I help her get a visa for a short visit?**

Your sister should apply for a tourist visa at the U.S. Consulate closest to where she lives. She can apply for this visa electronically at <https://ceac.state.gov/genniv/>. After she applies for the visa, she will also have to schedule herself for an in-person interview at the U.S. Consulate.

The Consulate will be looking to see if she has the means to support herself without working while she is in the U.S. Sometimes family in the U.S. will write letters to confirm that the person has a place to stay and financial support while she's in the U.S., though it is also helpful for the applicant to provide independent evidence of her financial means.

The Consulate will also want to see that your sister is actually only coming to the U.S. for a short visit as a tourist, rather than using the visa as a way to gain entry to the U.S. to live and work in the U.S. Thus, she should demonstrate ties to her country, such as family, job, property, and other obligations that require her to return home after her visit.

For individual case assistance, [please review our clinic schedule for our next free, walk-in immigration clinic.](#)